

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE APPLICATION
OF TOWN OF NORTH HEMPSTEAD
COMMUNITY DEVELOPMENT AGENCY
FOR THE ACQUISITION OF A CERTAIN
PARCEL OF LAND KNOWN AS SECTION 11,
BLOCK 48, LOTS 1-20, 62, 66-72 LOCATED
AT 142 MAGNOLIA AVENUE AT THE
CORNER OF MAGNOLIA AVENUE AND
RAILROAD AVENUE, NEW CASSEL,
NEW YORK PURSUANT TO THE
NEW CASSEL URBAN RENEWAL PLAN.

ORDER

CV-05-1932 (TCP)(JO)

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PLATT, District Judge:

Before the Court is a Report and Recommendation ("the Report") of U.S. Magistrate Judge James Orenstein dated March 13, 2006 which recommended that this Court grant the motion of the Town of North Hempstead Community Development Agency to remand the case to Supreme Court, Nassau County, but deny its application for the reimbursement of attorneys' fees and costs.

No objections to the Report having been filed, the Report is **AFFIRMED** and **ADOPTED** as an Order of this Court, and this case is hereby **REMANDED**.

SO ORDERED.

/S/
Thomas C. Platt, U.S.D.J.

Dated: Central Islip, New York
March 23, 2006